

REMARKS

Applicant respectfully requests reconsideration. Claims 1-11 are pending for examination with claims 1, 6 and 7 being independent claims. No new matter has been added.

Allowed Claims

Applicant gratefully acknowledges the indication by the Examiner that claims 7-11 are allowed.

Claim Rejections – 35 USC § 103

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fanciulli et al. (Oncology Res. [1996] 8(3): 111-120) in view of Ianniello et al (Cancer [1996] 78(1):63-69). The Examiner states “it would have been *prima facie* obvious to a person having ordinary skill in the art at the time the invention was made to combine the teachings of Fanciulli and Ianniello and administer cisplatin or an anthracycline in combination with LND and glucose to tumor cells.” Applicants disagree.

Fanciulli hypothesized that the reversal of resistance by LND in ADR resistant cells might depend on greater sensitivity to ADR due to the cell’s enhanced energy metabolism. Fanciulli concluded that LDN decreased glucose utilization, showed that LND inhibited glycolysis to a greater extent in ADR resistant cells, and that LND could decrease multidrug resistance to ADR. Fanciulli did not teach that glucose should be administered to the cell in conjunction with LND.

Ianniello demonstrated that LND reversed acquired resistance of cancer cell line to anthracycline and cisplatin and demonstrated the synergistic activity of LND combined with alkylating agents or anthracyclines. Ianniello also confirmed that LND administered with cisplatin, epirubicin, and vindesine may also enhance their activity against cell clones with intrinsic resistance to cytotoxic treatments.

Claims 1-6 were not obvious at the time of the invention in view of a combination of Fanciulli and Ianniello because the combination of references does not produce all of the elements

of the claims. Fanciulli teaches that LND administration primes a cell to react to a chemotherapeutic such as ADR. Thus, one of skill in the art may have been motivated to administer ADR (of the anthracycline family) in combination with LND. These same teachings however do not provide support for administering glucose in combination with LND. The claimed invention is directed to administration of compounds such as glucose in combination with chemotherapeutics such as ADR. Neither Fanciulli or Ianniello suggest or imply that glucose should be combined with ADR or cisplatin. Fanciulli uses glucose in an vitro experiment to test the effects of LND on glucose utilization. The reference does not imply that glucose should be administered as a therapeutic. The Applicant thereby requests that claims 1-6 be allowed and the rejection withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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